

## MINUTES

### UTAH RESPIRATORY CARE LICENSING BOARD MEETING

December 20, 2011

Room 475 – 4<sup>th</sup> Floor – 9:00 A.M.  
Heber Wells Building  
Salt Lake City, UT 84111

**CONVENED:** a.m. 9:00

**ADJOURNED:** 10:28 a.m.

**Bureau Manager:**

Clyde Ormond

**Board Secretary:**

Yvonne King

**Board Members Present:**

Anita Austin, Acting Chairperson  
Jennifer G. Brinton, MD, Telephonic  
Beverly J. Lambdin  
Michelle Nylander

**Board Members Absent**

Jack Fried, Chairperson

**DOPL Staff Present:**

Neena Bowen, Compliance

**Guests:**

Tyler Miller, Applicant  
David Widdison, Applicant  
Sarah Widdison

### DECISIONS AND RECOMMENDATIONS

#### **ADMINISTRATIVE BUSINESS:**

Approval of the September 20, 2011 Board Meeting Minutes

Ms. Lambden, seconded by Ms. Nylander, made a motion approve the September 20, 2011 Board meeting minutes as amended. The motion carried unanimously.

#### **APPOINTMENTS:**

9:05 Compliance  
Neena Bowen

Ms. Bowen stated that Ms. Weise could not attend the meeting due to illness.

Ms. Bowen went on to explain that Ms. Weise did not attend any therapy sessions in the past quarter. Ms. Weise requested being excused from seeing a therapist at the previous Board meeting however it was determined that she would need to obtain a note from the therapist which had not been done. Until Ms. Weise obtains written confirmation from the therapist, it will still be a requirement. Ms. Bowen stated that Ms. Weise has an

appointment with her therapist in January.

Ms. Bowen stated that the drug screens from Affinity and self assessments were current however the prescriptions that Ms. Wiese submitted did not have the dates of when the medications were prescribed. Ms. Bowen stated that she talked to Ms. Weise about submitting a copy from the doctor that included the date. Ms. Weise stated that she would comply.

Ms. Bowen stated in reviewing Ms. Weise's file there were a substantial amount of medications being prescribed on a monthly basis, not always coming from the same physician. The Board asked Dr. Brinton if the amount stated on the tracking sheet was high. Dr. Brinton responded that it appeared that her dose was going down.

The Board considers Ms. Weise non-compliant due to the fact that Ms. Weise did not attend therapy sessions this quarter and prescriptions were obtained from more than one doctor. Ms. Bowen stated that she would send out a non-compliance letter to Ms. Weise.

The Board indicated that they would like to see Ms. Weise at the next scheduled Board meeting March 20, 2012.

Tyler Miller

Mr. Ormond reviewed Mr. Miller's application for respiratory care practitioner. Mr. Miller appeared before the Board in June of 2010 and was denied licensure at that time.

Mr. Ormond stated that the National Board of Respiratory Care, (NBRC), will not reinstate his certification due to the fact that there was a disciplinary action against his license.

Mr. Miller appeared before the Board for his scheduled appointment. Mr. Miller stated that he has been working as a sleep technologist and explained that he also has sleep apnea.

Mr. Miller stated that the NBRC would need to obtain notification from the Division that they would consider licensing him before he could get re-certified with the NBRC.

Mr. Miller also stated that he is off probation with the courts and the charge will be expunged in February 2012. Mr. Miller stated he had completed all counseling, obtained a probationary license for five years with the Utah Nursing Board and is in compliance with his

#### Memorandum.

The Board recommended approving Mr. Miller for a probationary license but only after NBRC reinstates his certification.

Ms. Austin seconded by Ms. Nylander made a motion to approve Mr. Miller for a probationary license contingent on Mr. Miller becoming re-certified with NBRC. The motion carried unanimously.

It was noted that once the certification from NBRC is reinstated, the Board would then set stipulations for the Memorandum. The Board will coordinate his probation monitoring with the Nursing Board.

David Widdison

Mr. Widdison appeared before the Board for his scheduled appointment. Mr. Ormond reviewed his application. Mr. Widdison had answered yes to question three of the qualifying questionnaire.

Mr. Widdison supplied documentation from the Arizona Board of Nursing where he previously had a suspension on his license that was then stayed.

Mr. Widdison stated that all issues concerning the suspension had been taken care of and his license in Arizona was then changed to an active status in good standing.

Ms. Nylander, seconded by Ms. Lambden, made a motion to approve Mr. Widdison for full licensure as a respiratory care practitioner. The motion carried unanimously.

#### TOPICS FOR DISCUSSION

National Commission of Certifying Agencies (NCCA) Accreditation

The NCCA Accreditation will be tabled for the next Board meeting scheduled March 20, 2012.

Legislation Issues

Mr. Ormond asked the Board members if they had received notification of any pending legislation issues. The Board members stated that they had not heard of any pending legislation.

#### CORRESPONDENCE

Clinical Foundations, Continuing Education

Continuing Education from Clinical Foundations was reviewed. It appeared that the foundation was offering free continuing education credits. The Board noted that there is not a CE requirement with their license however there was a requirement with their certification.

Mr. Steinagel stated that there appeared to be limited resources to add a CE requirement in rule but it could be done as a statutory change.

The Board noted that the associations in conjunction with sleep apnea would be in favor of a bill.

**NEXT MEETING SCHEDULED FOR:**

March 20, 2012

**ADJOURN:**

10:28

*Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.*

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Date Approved

Chairperson, Utah Respiratory Care Licensing Board

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Date Approved

Bureau Manager, Division of Occupational &  
Professional Licensing